IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 6159 of 2006

DATE OF DECISION Z: 2.11.2006

Ram Kishore Yadav

.....PETITIONER

VERSUS

State of Haryana and others.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE M.M.KUMAR
HON'BLE MR. JUSTICE M.M.S.BEDI

PRESENT: Mr. PL Verma,Advocate for the petitioner.

Mr.Harish Rathee,Sr.DAG, Haryana for the respondents.

M.M.KUMAR,J

In pursuance to our order dated 16.10.2006, the learned State counsel has placed on record a letter dated 2.1.1998 stated to have been sent under registered cover to the petitioner at Government Senior Secondary School, Jamalpur Tehsil and District, Gurgaon. He has also placed on record a copy of letter dated 5.5.2005 sent to Director, Secondary Education, Haryana again conveying the report of the year 1996-97 wherein letter dated 2.1.1998 is also stated to be attached. Vide impugned order dated 17.6.2005 the case of the petitioner for promotion has been rejected on the ground that his integrity was doubtful in his ACR for the year 1996-97. The case of the petitioner is that the aforementioned ACR has never been conveyed to him, whereas the respondents assert that those ACRs have been conveyed. The

letters dated 2.1.1998 and 5.5.2005 are taken on record as 'Mark A & B.

In view of the above, it is evident that there is a serious dispute on facts between the parties, which cannot be suitably settled by this Court in these proceedings. Therefore, the petitioner is relegated to the remedy of filing a civil suit, if so advised.

The writ petition stands disposed of.

(M.M.KUMAR)
JUDGE

November 1 ,2006 (M.M.S.BEDI)
TSM JUDGE